

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

DannLaw
Javier L. Merino, Esq.
Attorneys for Debtor
372 Kinderkamack Road, Suite 5
Westwood, NJ 07675
Phone: 216-373-0539
Fax: 216-373-0536

In Re:
Richard Paliotta, Jr.



Order Filed on May 26, 2021
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-31515 (SLM)
Hearing Date: May 26, 2021
Chapter: 13
Judge: Stacey L. Meisel

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: May 26, 2021

A handwritten signature in cursive script that reads "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 907 Hammond Road Ridgewood, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Chris Gubb; Benjamin Cooper

Amount to be paid: \$60,000; \$1,750

Services rendered: Ms. Gubb - Selling agent and licensed realtor.
Mr. Cooper - closing counsel.

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$_____ claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

The remainder of the funds from the sale closing, after both mortgages and closing costs have been paid, shall be deposited into The Dann Law Firm IOLTA account pending the disposition of *Richard Paliotta, Jr. v. RUC Holdings, LLC*, Civil Action No. 2:20-ap-01401-SLM. Once this matter is disposed, the balance of the funds sufficient to pay the remainder claims at 100% shall be disbursed from The Dann Law Firm IOLTA Account to the Trustee.

Once funds sufficient have been tendered to the Trustee to pay the remainder claims at 100% per the Trustee's payoff, the funds may be disbursed from The Dann Law Firm IOLTA Account to the Debtor.

rev.8/1/15

In re:
Richard Paliotta, Jr.
Debtor

Case No. 19-31515-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: May 27, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 29, 2021:

Recip ID	Recipient Name and Address
db	+ Richard Paliotta, Jr., 907 Hammond Road, Ridgewood, NJ 07450-2907

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 29, 2021 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 27, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York as Trustee for the certificateholders of the CWABS, Inc. Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
Javier L. Merino	on behalf of Debtor Richard Paliotta Jr. jmerino@dannlaw.com, notices@dannlaw.com;mdann@dannlaw.com;bflick@dannlaw.com;9497659420@filings.docketbird.com;Amy@DannLaw.com
Javier L. Merino	on behalf of Plaintiff Richard Paliotta Jr. jmerino@dannlaw.com, notices@dannlaw.com;mdann@dannlaw.com;bflick@dannlaw.com;9497659420@filings.docketbird.com;Amy@DannLaw.com
Marie-Ann Greenberg	magecf@magtrustee.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: May 27, 2021

Form ID: pdf903

Total Noticed: 1

Regina Cohen

on behalf of Creditor Ally Capital rcohen@lavin-law.com ksweeney@lavin-law.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7